

FISCAL NOTE

SB 3131 - HB 3080

March 23, 2004

SUMMARY OF BILL:

Enacts the *Tennessee Health Care Decisions Act*, replaces present laws for living wills and durable powers of attorney for health care, and modifies present law for DO NOT RESUSCITATE orders. Health care providers or institutions that intentionally violate the provisions of the bill would be subject liable for damages of \$2,500 or actual damages. A person who intentionally falsifies, forges, conceals, defaces, or obliterates an individual's instruction or power of attorney or its revocation without consent or coerces or fraudulently induces an individual to give, revoke or not give instruction or power of attorney would be liable for damages of \$2,500 or actual damages. The Board for Licensing Health Care Facilities is authorized to promulgate rules and regulations and develop forms to implement the bill.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Not Significant

Estimate assumes an increase in state expenditures to promulgate rules and regulations and to develop forms. Such an increase is not estimated to be significant and can be done within existing budgeted resources.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White".

James W. White, Executive Director

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